IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 13TH DECEMBER 2006 / 22ND AGRAHAYANA 1928

WP(C).No. 33107 of 2006(N)

PETITIONER:

ANJANA KUMARI. R., W/O.ADITHYA VARMA,
AGED 36 YEARS, VADAKKEKOTTARAM,
PANTHALAM P.O., PANTHALAM, NOW RESIDING AT
MOOKAMBIKA, PATHAMMAYIL, UDAYAMPEROOR,
WORKING AS SENIOR ASSISTANT, ELECTIRCAL SUB
DIVISION,KERALA STATE ELECTRICITY BOARD,THIRUVALLA

BY ADV. SRI.M.P.KRISHNAN NAIR

RESPONDENTS:

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1. KERALA STATE ELECTRICITY BOARD,
VYDUTHY BHAVAN, THIRUVANANTHAPURAM.

2. EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, THRIRUVALLA.

3. CHIEF ENGINEER (HRM)
VYDHUTHY BHAVAN, THIRUVANANTHAPURAM.

BY SC SHRI. K.S.ANIL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 33107 OF 2006

Dated this the 13th December, 2006.

JUDGMENT

Heard counsel for the petitioner and Legal Liaison Officer for the respondents.

2. The petitioner is working as Senior Assistant in the service of the Board. She is the beneficiary of Ext.P1 order of transfer passed by the third respondent on 29.6.2006. If Ext.P1 is implemented petitioner will get a posting in the Electrical Circle, Ernakulam. Inspite of the lapse of five months, Ext.P1 has not been implemented in the case of the petitioner. It is contended that almost all those who are included in Ext.P1 have got the benefit of that order but the petitioner is not relieved from the Electrical Section, Thiruvalla for want of substitute.

3. This Court has considered the grievance of similarly situated employees of the Board including some of them who got transfer order as per Ext.P1. It has been held that unless the order of transfer is modified within a reasonable time, the subordinate authorities cannot keep the same in cold storage and virtually nullify the effect of Ext.P1 even if the reason stated is that substitutes have not been posted. It is the duty of the respondents to make substitute arrangements within a reasonable time so

that those who are given the benefit of Ext.P1 will be in a position to enjoy the same. In the circumstances, there shall be an order directing the respondents to relieve the petitioner from Electrical Section, Thiruvalla within two weeks on the petitioner producing a copy of the judgment. Writ petition is allowed as above.

K.K.DENESAN
Judge

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